

To: R9-Deep[R9Deep@epa.gov]
Cc: Robin, George[Robin.George@epa.gov]
From: Robin, George
Sent: Mon 11/24/2014 10:21:12 PM
Subject: (Guidance/Regs Confidential Information) Aquifer Exemption Questions

Fyi,

Ex. 5 - Deliberative Process

Here is the relevant pasted section that Jerry cites from the Ca. Regulations:

1997.1. Request for Confidential Status.

1. Amendment filed 9-27-76 as an emergency; effective upon filing (Register 76, No. 40).
2. Certificate of Compliance fi led 12-3-76 (Register 76, No. 49).
3. Amendment of subsection (a) filed 12-3-76 as an emergency; effective upon filing. Certificate of Compliance included (Register 76, No. 49).
4. Amendment of subsection (a) filed 2-13-81 as procedural and organizational; effective upon filing (Register 81, No. 7).
5. Amendment of NOTE filed 1-18-82; effective thirtieth day thereafter (Register 82, No. 4).
6. Change without regulatory effect amending subsections (a)(1)-(3) fi led 9-3-96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 36).
7. Change without regulatory effect repealing and adopting new Maps 1 and 2 fi led 4-8-98 pursuant to section 100, title 1, California Code of Regulations (Register 98, No. 15).
8. Change without regulatory effect amending section filed 12-26-2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

1997.2. Request for Extension of Confidential Status.

1. Amendment fi led 9-27-76 as an emergency; effective upon filing (Register 76, No. 40).

2. Certificate of Compliance filed 12-3-76 (Register 76, No. 49).
3. New NOTE fi led 1-18-82; effective thirtieth day thereafter (Register 82, No. 4).
4. Change without regulatory effect amending subsections (b)-(c) filed 12-26- 2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

From: Salera, Jerry@DOC [mailto:Jerry.Salera@conservation.ca.gov]
Sent: Monday, November 24, 2014 11:38 AM
To: Tim Lovley
Cc: Robin, George; Johnson, Dane@Waterboards
Subject: RE: Aquifer Exemption Questions

Hi Tim,

The Confidentiality regulations are discussed in the California Code of Regulations, Title 14, Division 2, Chapter 4, Subchapter 5 – Disclosure and Inspection of Public Records. You can download this from our website with the link below:

ftp://ftp.consrv.ca.gov/pub/oil/publications/PRC04_January_11.pdf

EPA's guidance are also posted in our website at the link:

[http://www.conservation.ca.gov/dog/general_information/Pages/UndergroundInjectionControl\(UIC\).aspx](http://www.conservation.ca.gov/dog/general_information/Pages/UndergroundInjectionControl(UIC).aspx)

Please refer to the document EPA Aquifer Exemption Guidance and Checklist July 2014.

Jerry Salera

Underground Injection Control (UIC) Program

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Jerry.Salera@conservation.ca.gov

From: Tim Lovley [mailto:tim_lovley@macphersonoil.com]

Sent: Monday, November 24, 2014 11:06 AM

To: robin.george@epa.gov; Johnson, Dane@Waterboards; Salera, Jerry@DOC

Subject: Aquifer Exemption Questions

Importance: High

George, Dane, and Jerry,

I have the following questions in preparation of an aquifer exemption.

1. Macpherson Oil Company (MOC) will be providing Business Confidential Information that could cause serious harm and damage to MOC if the information was found and used by a

competitor. What does MOC need to do to ensure this Business Confidential Information is kept confidential during the aquifer exemption process and until the project has been completely developed?

- a. Please provide me the necessary guidance and or requirements to maintain Business Confidential Information.
2. Is there specific information your agency will require in the aquifer exemption?
3. Is there a process to complete the aquifer exemption that works best? Keeping in mind that MOC will be working through CA DOGGR to achieve the exemption.
 - a. Involvement in the draft phase?
 - b. Engagement with the Professional Geologist MOC has hired during the exemption preparation?

I appreciate your assistance in this matter, and am looking forward to working with each of you on this project.

Thank you again,

Tim

Tim Lovley, CSP, CFPS, CUSA

HSE Manager

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